IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

MACA.No. 1989 of 2007()

OPMV.3087/1999 of MOTOR ACCIDENT CLAIMS TRIBUNAL, ERNAKULAM
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APPELLANT/PETITIONER IN OP (MV)

K.M.ABDUL SALAM, S/O. K.E.MUSTHAFA
KANNANKARATH HOUSE, PALLILAMKARA,
KALAMASSERY,.

BY ADV. SRI.VIVEK VARGHESE P.J.

RESPONDENTS: RESPONDENTS IN OP (MV)
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1. N.K.ASHRAF, NADAVATH KALATHIL HOUSE
CHAPPARANGADI, PARANGIMOOCHIKKAL
KOTTAKKAL.

2. E.L.ZACHARIA, EDASSERIKKUNNEL HOUSE
THARIODE P.O., WYNAD DISTRICT.

3. THE UNITED INDIA INSURANCE CO. LTD
COCHIN-16.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN
& T.R.RAMACHANDRAN NAIR, JJ.

M.A.C.A.NO: 1989 OF 2007D

Dated this the 15th November,2006.

JUDGMENT

Radhakrishnan, J.

Accident is not disputed, so also the insurance policy. The only question is whether the amount of compensation awarded is just and proper. Petitioner has not produced any disability certificate. Tribunal has awarded an amount of Rs.15,000/- towards loss of amenities, discomforts and disfiguration. Towards pain and suffering Rs.25,000/- is awarded. In the absence of any oral evidence, and no doctor was examined, no amount was awarded for disability, in our view itself. Under such circumstances we find no reason to entertain this appeal.

K.S.RADHAKRISHNAN
Judge

T.R.RAMCHANDRAN NAIR
Judge

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